

**UNITED STATES DISTRICT COURT**  
**MIDDLE DISTRICT OF TENNESSE**

  
U.S. Magistrate Judge

**ERIK HERNANDEZ,** )  
 )  
 **Plaintiff,** )  
 **v.** ) **No. 2:11-cv-79**  
 **O'REILLY AUTOMOTIVE STORES,** )  
 **INC.,** )  
 )  
 **Defendant.** )

**JOINT MOTION TO AMEND SCHEDULING ORDER**

The parties, as evidenced by the signatures of counsel below, pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure and to LR7.01 of the Local Civil Rules, jointly move this Court to amend the Joint Initial Case Management Order to extend the fact discovery deadline from August 1, 2012 to September 15, 2012 and for grounds would show the following:

1. That, on October 19, 2011, this Court entered the Joint Initial Case Management Order, ECF Doc. 14;
2. That the order set out August 1, 2012 as the deadline for the completion of fact discovery;
3. That the parties are at the end of the written discovery stage;
4. That the parties have agreed to explore the possibility of an early resolution of this case through this Court's judicial settlement program;
5. That to facilitate that agreement the parties require an extension of the fact discovery deadline from August 1, 2012 to September 15, 2012;
6. That the extension will not disturb any other deadlines contained within the order, nor will it disturb the trial date of February 12, 2013.